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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION

UNITED STATES OF AMERICA

CRIMINAL CASE NO. 2:05CR20223-01

VERSUS

JUDGE MINALDI

MARCUS WAYNE HENDERSON

MAGISTRATE JUDGE KAY

CERTIFICATE OF APPEALABILITY

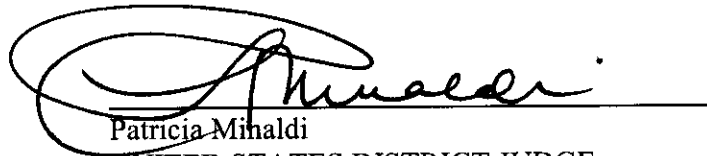
A final order having been filed in the above-captioned habeas case, the court, considering the record in this case and the requirements of 28 U.S.C. § 2253, hereby finds that:

X The certificate of appealability is DENIED because the applicant has failed to demonstrate a substantial showing of the denial of a constitutional right.

       The certificate of appealability is GRANTED for the below reasons:

The applicant has made a substantial showing that the following issues constitute a denial of a constitutional right:

Signed at Lake Charles Louisiana, this 1 day of Sept, 2009.

  
Patricia Minaldi  
UNITED STATES DISTRICT JUDGE